



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:
Andres DERR, et al.

Appl. No.: 10/701,211

Art Unit: 2835

Filed: November 4, 2003

Examiner: CHANG, Yean Hsi

For: **CONTROL AND DISPLAY
DEVICE**

Atty Docket: WEM-05002

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Petitioner Testo AG, owner of 100% of the above-referenced application by virtue of an Assignment from the inventors recorded at reel 011057, frame 0869 and subsequent Change of Name recorded at reel 014250, frame 0435, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of U.S. Patent No. 6,665,174 B1, filed May 22, 2000, issued December 16, 2003 (hereinafter, "the Other Patent"). Petitioner hereby agrees that any patent so granted on the present above-captioned application shall be enforceable only for and during such period that it and the Other Patent are commonly owned. This agreement runs with any patent granted on the above-captioned application and is binding upon the grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned application prior to the expiration date of the full statutory term of the Other Patent in the event that the Other Patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

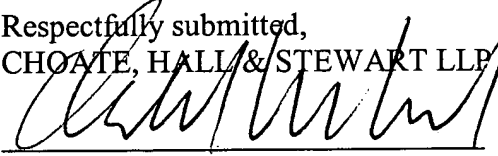
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Date: June 30, 2005

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